



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernd RIEDL et al.

Serial No.: 10/086,417

Examiner:

C. Delacroix Muirhei

Filed: March 4, 2002

Group Art Unit:

1614

Title: OMEGA-CARBOXY ARYL SUBSTITUTED DIPHENYL UREAS AS p38
KINASE INHIBITORS

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

United States Patent and Trademark Office
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Randolph Building, 401 Dulany Street
Alexandria, VA 22314

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

TIMING AND FEES

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☒ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- ☐ a final rejection under 37 C.F.R. 1.113;
 - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - ☐ a notice of allowance under 37 C.F.R. § 1.311; and
- is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
- ☐ a final action under 37 C.F.R. § 1.113;
- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
- ☐ OR a notice of allowance under 37 C.F.R. § 1.311;
- AND is filed on or before payment of the issue fee; AND is accompanied by:
- ☐ the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

STATEMENTS UNDER 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

CITED MATERIALS

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an international search report dated _____.
- ☒ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

NON-ENGLISH LANGUAGE REFERENCES

- ☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone
Y = document of particular relevance when it is combined with another such document
A = document defining the general state of the art
O = non-written disclosure
P = intercalated document
T = document cited to understand the theory or principle underlying the invention
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
D = cited in the application
L = cited for another reason
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☐ Translation of other relevant information on foreign search report

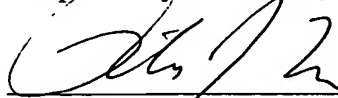
OTHER INFORMATION

Two discs entitled "Patents on CD-ROM" are enclosed with this Information Disclosure Statement and contain an electronic copy of the references listed on the attached PTO-1449 for the Examiner's convenience.

PAYMENT OF FEES DUE (IF ANY):

- ☐ A check for \$_____ covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$_____ for the fee identified above.
- ☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account No. 13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



Richard J. Traverso, Reg. No. 30,595
Attorney/Agent for Applicants

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Attorney Docket No.: BAYER-0016-P04

Date: October 4, 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 1

Complete if Known

Application Number	10/086,417
Filing Date	March 4, 2002
First Named Inventor	Bernd RIEDL et al.
Group Art Unit	1614
Examiner Name	C. Delacroix Muirhei
Attorney Docket Number	BAYER-0016-P04

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	A1	0,502,504		Thoms	08-01-1893
	A2	3,284,433		Becker et al.	11-08-1966
	A3	4,546,191		Nishiyama et al.	10-08-1985
	A4	5,559,137		Adams et al.	09-24-1996
	A5	5,710,094		Minami et al.	01-20-1998
	A6	6,040,339		Yoshida et al.	03-21-2000
	A7	6,150,415		Hammock et al.	11-21-2000
	A8	6,178,399		Takebayashi et al.	01-23-2001
	A9	6,187,799		Wood et al.	02-13-2001
	A10	6,310,068		Böttcher et al.	10-30-2001
	A11	6,333,341		Mantlo et al.	12-25-2001
	A12	6,380,218		Marfat et al.	04-30-2002

FOREIGN PATENT DOCUMENTS

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Unique citation designation number. ³ See attached Kinds of U.S. Patent Documents. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.



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REQUEST FOR INITIALED FORM PTO/SB/08A (SUBSTITUTE FOR 1449A/PTO)

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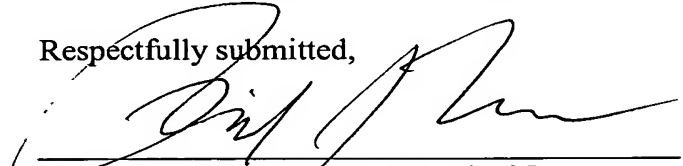
Sir:

Attached are copies of the Form SB/08A (Substitute 1449A/PTO) submitted with applicants' Information Disclosure Statements filed on April 2, 2002 and December 30, 2002. A copy of the Form SB/08A with the April 2, 2002 Information Disclosure Statement was not returned by the Examiner. A copy of the Form SB/08A submitted with the Information Disclosure Statement of December 30, 2002 was returned but did not have the Examiner's initials on all of the references cited therein. The reasons for this are not clear from the record. There is no indication that the submissions did not comply with the M.P.E.P. Two compact discs accompany this request. The compact disc labeled "BAYER-25A IDS" contains the references cited in the Information Disclosure Statement filed on December 30, 2002 is provided. The publications can be found in a file under "publications." The disc

labeled "BAYER-IDS" contains the references cited in the Information Disclosure Statement filed on April 2, 2002.

It is respectfully requested that the Examiner consider all references cited and that the Examiner indicate so by initialing and returning the copy of Form SB/08A to the applicants.

Respectfully submitted,


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Attorney/Agent for Applicants

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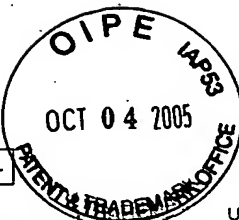
Attorney Docket No.: BAYER-0016-P04

Date: October 4, 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 1

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Application Number	10/086,417
Filing Date	March 4, 2002
First Named Inventor	Bernd Riedl et al.
Group Art Unit	TO BE ASSIGNED
Examiner Name	TO BE ASSIGNED
Attorney Docket Number	BAYER 16 P2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,965,573		Petrie et al.	10-12-99	
		6,093,742		Salituro et al.	7-25-00	
		6,218,539 B1		Widdowson	4-17-01	
		6,242,601 B1		Breu et al.	6-5-01	
		6,004,965		Breu et al.	12-21-99	
		5,891,895		Shiraishi et al.	4-6-99	
		6,174,901 B		Mantlo et al.	1-16-01	
		6,339,045 B1		Kanno et al.	1-15-02	
		6,005,008		Widdowson et al.	12-21-99	
		5,908,865		Doi et al.	6-1-99	
		6,180,675 B1		Widdowson et al.	1-30-01	
		6,211,373 B1		Widdowson et al.	4-3-01	
		5,780,483		Widdowson et al.	7-14-98	
		6,133,319		Widdowson	10-17-00	
		5,886,044		Widdowson et al.	3-23-99	
		6,020,345		Vacher et al.	2-1-00	
		6,262,113 B1		Widdowson et al.	7-17-01	
		6,333,341 B1		Mantlo et al.	12-25-01	
		6,271,261 B1		Widdowson	8-7-01	
		5,773,459		Tang et al.	6-30-98	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EP	116932A1			8-10-00		
		WO	97/30992			8-28-97		
		EP	0860433A1			8-26-98		
		WO	98/17267			4-30-98		
		WO	99/32437			7-1-99		
		WO	97/17329			5-15-97		

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Application-Number	10/086,417
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First Named Inventor	Bernd Riedl et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	BAYER-16P4

U.S. PATENT DOCUMENTS

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		Office 3	Number ⁴	Kind Code ⁵ (if known)				
		JP	54-032468			9-3-1979		
		EP	0405233A1			1-2-91		
		EP	0379915A1			8-1-90		
		EP	0381987A1			8-16-90		
		EP	0380048A2			8-1-90		
		EP	0264904A2			4-27-88		
		EP	0359148A1			3-21-90		
		EP	0233559B1			8-26-87		
		EP	0230400A2			7-29-87		

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Sheet

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of

8

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First Named Inventor	Bernd Riedl et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	BAYER-16P4

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Publication No. US 2002/0065296 A1, Publication Date: May 30, 2002, Dumas et al.	
		Publication No. US 2002/0062763 A1, Publication Date: May 30, 2003, Macholdt et al.	
		Publication No. US 2002/012831 A1, Publication Date: September 21, 2002, Widdowson et al.	
		Publication No. US 2002/0082255 a1, Publication Date: June 27, 2002, Eastwood	
		Caplus 113:106314, Abstract of JP 2022650, Silver halide color photographic material containing a cyan coupler of 2-ureido-phenol type to improve dye developability and remove leuco cyan dye, Noboru Mizukura et al. January 25, 1990.	
		Caplus 113:142130, Abstract of JP 2023337, Silver halide photographic material containing phenolic cyan coupler a colorless cyan coupler, Toshihiko Yagi et al., January 25, 1990.	
		Caplus 87:62295, "The metabolism and toxicity of halogenated carbanilides. Biliary metabolites of 3,4,4'-trichlorocarbanilide and 3-trifluoromethyl-4,4'-dichlorocarbanilide in the rat", Chemical Life Science, pp. 157-66, 1977.	
		Caplus 127:293717, "Optical properties of segmented oligourethane with azomethine terminal fragments", National Academy of Science of Ukraine, M. V. Kurik et al., pp. 2038-2041, 1996.	
		Caplus 127:273945, "Quantitative structure-biodegradability studies: an investigation of the MITI aromatic compound database", School of Pharmacy and Chemistry, J. C. Dearden, pp. 93-104, 1996	
		Caplus 126:166148, "Inhibitors of coenzyme A-independent transacylase induce apoptosis in human HL-60 cells", James D. Winkler et al., J. Pharmacol. Exp. Ther. Pp. 956-966, 1996.	
		Caplus 98:78152, Abstract of JP 57185219, "Antitumor benzophenone derivatives", November 15, 1982.	

Examiner
Signature

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Sheet	3	of	8
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First-Named Inventor	Bernd Riedl et al.
Group Art Unit	Unassigned
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EP	0192263B1			8-27-1986		
		EP	0107214A1			5-2-1984		
		WO	0047577			8-17-2000		
		WO	99/21835			5-6-1999		
		WO	99/24635			5-6-1999		
		WO	00/41698			7-20-2000		
		WO	00/42012			7-20-2000		
		WO	01/36403A1			5-25-2001		
		WO	96/13632			5-9-1996		
		WO	99/20617			4-29-1999		
		WO	96/13632			5-9-1996		
		WO	02/24635A2			3-28-2002		
		IR	26555					
		LB	6124					

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Sheet 4 Of 8

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Caplus 72:79046, Abstract of CH 479557, "Tuberculostatic and cancerostatic polybasic ureas", Dr. A. Wander, October 15, 1969.	
		Caplus 125:245169, "Production of murine monoclonal antibodies against sulcofuron and flucofuron by in vitro immunization", G. A. Bonwick et al., J. Immunol. Methods, pp. 163-173, 1996.	
		Caplus 127:34137f, "Preparation of quinoline an dquinazoline derivatives inhibiting platelet-derived growth factor receptor autophosphorylation", Kazuo Kubo et al., May 15, 1997.	
		Caplus 131:58658, "Inhibition of raf kinase using symmetrical and unsymmetrical substituted diphenyl ureas", Miller, Scott, July 1, 1999.	
		Caplus 131:87909y, "Inhibition of p38 kinase activity using substituted heterocyclic ureas", Jacques Dumas, July 1, 1999.	
		Caplus 131:73649b, "Preparation of pyrazolyl aryl ureas and related compounds as p38kinase inhibitor", Jacques Dumas, July 1, 1999.	
		Joseph V. Simone, "Cecil Textbook of Medicine", 20th Edition, Vol. 1, 2-3-1997. pp. 1004-1010.	
		Cesar Raposo et al., "Catalysis of Nucleophilic Addition of Pyrrolidine to 2-(5H)-Furanone through Chromenone Cleft-Type Receptors", Vol. 37, No. 38, pp. 6947-6950, 1996.	
		Jacqueline E. van Muijwijk-Koezen et al., "Isoquinoline and Quinazoline Urea Analogues as Antagonists for the Human Adenosine A ₃ Receptor", J. Ed. Chem. 2000, 43, pp. 2227-2238, January 3, 2000.	
		Jacques Dumas et al., "1-Phenyl-5-pyrazolyl Ureas: Potent and Selective p38 Kinase Inhibitors", Bioorganic & Medicinal Chemistry Letters, pp. 2051-2054, May 2, 2000.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/086,417
Filing Date	March 4, 2002
First Named Inventor	Bern Riedl et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	BAYER-16P4

Sheet 5 Of 8

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		Abstract of DE 3305866A1, August 29, 1984, Dr. Acker Rolf-Dieter et al.	
		Abstract of EP 4931 (equivalent 4,240,820), K. Dickore et al. (1980)	
		Dumas, J., "CAS Structure," May 6, 1997, pages 1-29.	
		Scott, Bill, "Substructure (Patent Families)," August 11, 1997, pages 1-19.	
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		Scott, Bill, "Substructure Search", December 2, 1997, pages 1-51.	
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		Derwent World Patents Index Search, pages 20-26. (1997)	
		Abstract of EP 116,932 (1984)	
		Abstract of EP 676,395 (1995)	
		Abstract of EP 202,538 (1986)	
		Abstract of EP 16,371 (1980)	

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	AN	A "Notice of References Cited" from the USPTO for U.S. application 09/776,936.	
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	AQ	A "Notice of References Cited" from the USPTO for U.S. application 10/042,226.	
	AR	A "Notice of References Cited" from the EPO for European application EP 98/963809.	
	AS	Supplemental search report from the EPO for European application EP 98/963810.	
	AT	Supplemental search report from the EPO for European application EP 98/965981.	
	AU	Supplemental search report from the EPO for European application EP 00/903239.	
	BA	International search report for International Application No. PCT/US98/10375.	
	BB	International search report for International Application No. PCT/US98/10376.	

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	BD	International search report for International Application No. PCT/US98/26079.	
	BE	International search report for International Application No. PCT/US98/26080.	
	BF	International search report for International Application No. PCT/US98/26081.	
	BG	International search report for International Application No. PCT/US98/26082.	
	BH	International search report for International Application No. PCT/US98/24265.	
	BI	International search report for International Application No. PCT/US00/00648.	
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